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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 9th meeting
Held at Headquarters, New York, on Thursday, 23 June 2016, at 10 a.m.

Chair: Mr. Ramírez Carreño ..... (Bolivarian Republic of Venezuela)

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The meeting was called to order at 10.30 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Requests for hearing

2. **The Chair** drew attention to the requests for hearing relating to the question of the Falkland Islands (Malvinas), contained in aide-memoire 04/16. He took it that the Committee wished to grant those requests.

3. *It was so decided.*

Question of the Falkland Islands (Malvinas)
(A/AC.109/2016/6; A/AC.109/2016/L.7)

4. **The Chair** read out an updated list of the delegations that had indicated their wish to participate in the Committee's 2016 session as observers, namely, Algeria, Angola, Argentina, Costa Rica, El Salvador, Ghana, Guatemala, Mexico, Morocco, Namibia, Palau, Panama, Paraguay, Solomon Islands, South Africa, Spain, Sri Lanka, Uruguay, the Observer for the Holy See and the Observer for the Sovereign Military Order of Malta.

Hearing of petitioners

5. **The Chair** said that, in line with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table and would withdraw after making their statements.

6. **Mr. Summers** (Legislative Assembly of the Falkland Islands) said that the economy of the Falkland Islands needed to be seen within the context of their remote location, small population and limited land area but very extensive ocean regions under their control. The economy was strong: the annual GDP averaged around GBP 130 million, reserves were high and there were no borrowings. The Falkland Islands had been economically self-sufficient since 1990, except for the cost of defence. They paid no taxes to the United Kingdom and received no income, enabling them to maintain a substantial degree of political independence from the British Government, while developing their own public services and infrastructure and regulating the exploitation of their own natural resources.

7. The Falklands economy was based on fishing, tourism and agriculture. The fishing industry contributed some 60 per cent of GDP and the Islands' sustainable fisheries were considered to be among the best-managed in the world. The tourism industry represented an estimated 7 per cent of GDP, having attracted wildlife expedition cruises and larger luxury cruises. Sheep farming for wool was the traditional mainstay of Island agriculture, and there had been heavy investment in the latest reproductive technologies. In addition, a new hydrocarbon exploration programme had, with the discovery of over 500 million barrels of recoverable reserves, brought substantial additional economic activity and created new skills. Moreover, the programme provided economic opportunity not only for Falkland Islanders, but also for experienced logistics and supply companies in Argentina, Brazil, Chile and Uruguay, none of which had yet taken up that opportunity.

8. Each of the traditional economic activities of the Falkland Islands relied heavily on maintaining a pristine environment and the continuance of good environmental practices. The Falkland Islands government demanded the highest environmental standards in all industries, in particular oil exploration. It had invested recently in a new environmental research institute, which had established working arrangements with a number of distinguished universities and similar institutions around the world. The Islands were being preserved for future generations.

9. The Falkland Islands had moved rapidly over the last 30 years to become an internally self-governing overseas territory. The revised 2009 Constitution guaranteed a full range of protections of fundamental freedoms, including the right to self-determination, the clauses on which mirrored the provisions of the Charter of the United Nations relating to Non-Self-Governing Territories. It explicitly recognized that the natural resources of the Falkland Islands belonged to the government and people of the Falkland Islands, not the United Kingdom.

10. The Legislative Assembly made the laws for the Falkland Islands. The Executive, formed of three elected members of the Assembly, was responsible for determining strategies and policies and for the good governance of the Islands. The Government of the United Kingdom remained responsible only for foreign affairs and defence. The defence commitment provided by the United Kingdom was principally a deterrent and proportionate to the perceived level of threat. Members of the Assembly engaged fully in the development of

foreign policy where it affected Falkland Islanders and in public diplomacy overseas.

11. Falkland Islanders had demonstrated that they were comfortable with their existing constitutional relationship with the United Kingdom through a 2013 referendum, the turnout for which had been 92 per cent, with 99.8 per cent voting in favour of remaining an overseas territory of the United Kingdom. Neither the United Kingdom nor the Falkland Islanders doubted British sovereignty over the Falklands; and the United Kingdom had consistently stated that it would not discuss the sovereignty of the Islands unless and until the Islanders wished to do so. At the moment, they did not so wish. The United Kingdom had made it equally clear that it would not discuss other issues about the Falkland Islands with third parties unless Falkland Islanders so wished and were present.

12. During the last 30 years, the Falkland Islands government had provided substantial new infrastructure, through selective and considered investment of its own income and reserves, without borrowing anything or relying on the financial assistance of a third party. When first discovered, the Falkland Islands had had no native population and no ethnic population had been absorbed, suppressed or extinguished. Settlers had arrived and departed of their own free will, from many different parts of the world. At recent censuses, Falkland Islanders had identified as coming from 57 different ethnic backgrounds. The facts simply did not support the claim that the Islanders were an implanted British population; they were a people in their own right.

13. Argentina had made continued attempts to destroy the economy and livelihood of the Falkland Islands and sought to harass and bully the Islanders through a series of ongoing economic sanctions. The new Government of Argentina had made some encouraging remarks about its approach to the Falkland Islands, but nothing had changed. The Falkland Islands hoped that Argentina would soon feel able to dismantle its barriers to trade, cooperation and good-neighbourliness. The Falkland Islands government remained willing, together with the United Kingdom, to enter into dialogue to find ways of working together for the benefit of future generations. Such dialogue did not include discussions on sovereignty. After 160 years, the Falkland Islands were no longer a colony of the United Kingdom and they had no intention of becoming a colony of Argentina.

14. The Committee had specifically declined to observe the referendum of 2013, in which the Falkland Islanders had exercised their right to self-determination as a strong, independent and peaceful people. It had been unable to witness the move of the Falkland Islands away from colonialism because of its continued refusal to organize a visiting mission to the Islands, despite having been invited every year for several years to do so. He formally urged the Committee to fulfil its sole responsibility to have proper regard for the people of the Non-Self-Governing Territories, including Falkland Islanders.

15. **Mr. Short** (Legislative Assembly of the Falkland Islands) said that the makeup of the Falklands population had always been very cosmopolitan and roughly 60 nationalities were currently represented on the Islands. Many people had taken Falkland Islands citizenship, showing that they were not just passing through. The ethnic mix caused no problems and no one was persecuted because of religion or colour.

16. The working practices of the Committee might be in need of overhaul, if it was to devise the fresh and creative approaches to decolonization urged upon it by the Secretary-General. The Special Committee had been established for the purpose of monitoring the implementation of General Assembly resolution 1514 (XV), and among what it saw as its mandated functions, the Committee dispatched visiting missions, organized seminars on the political, social and economic situation in the Non-Self-Governing Territories, mobilized public opinion in support of decolonization and held celebrations of solidarity with the peoples of the Territories. However, the Falkland Islands had seen no visits, no forums and no solidarity from the Committee.

17. Under General Assembly resolution 1514 (XV), Falkland Islanders had the right to freely determine their political status and freely pursue their social, economic and cultural development. However, as they sought to pursue their economic development, Argentina had for many years been trying to wreck the Falklands economy and making unwelcome attempts to return the Islanders to a colonial situation. Despite that, the economy had gone from strength to strength. Through prudent fiscal management and shrewd economic planning, the Falkland Islands had been transformed from a failing country prior to 1982 to a country that was the envy of many.

18. Exploration had indicated that hydrocarbons could be found in the Falkland Islands, which would transform the country. The United Kingdom had stated that it would abide by the United Nations Fourth Committee affirmation that all peoples of the Non-Self-Governing Territories were free to enjoy their natural resources; all royalties from any hydrocarbons would therefore be paid to the government of the Falkland Islands to invest and use as it saw fit for the benefit of the country and its people. The Falkland Islands would not allow a hydrocarbon industry to damage their pristine environment and had already insisted on the highest standards from hydrocarbons companies. If forced to choose, the Falkland Islands would probably choose their environment over oil. Even without oil, the economy was strong enough for the Falkland Islands to continue growing, developing and strengthening. The potential existence of oil might, however, explain why a certain neighbour wished to do a land-grab.

19. The Falkland Islands had a huge amount of autonomy. They were completely self-governing internally and relied on the United Kingdom only for matters of foreign affairs and defence. Through constitutional changes, investment in education, sound economic practices and land reform, they had moved away from being a colony, and were not being held against their will. They wished to continue on the path of political change through evolution, not revolution. If the Committee did not believe the results of the recent referendum on the political future of the Falkland Islands, then it should perhaps organize a referendum that was officially backed and monitored by the United Nations. Better yet, it should send a visiting mission and talk to the people.

20. The United Nations recognized three main self-determination options for the Non-Self-Governing Territories: independence, integration or free association with another State. The Falkland Islands were very protective of their autonomy and would see integration as a backward step towards the colonial situation from which they had been moving away. They might, in a perfect world, be able to work towards full independence or free association, but there was the problem of another larger and more powerful neighbouring nation that wished to usurp the country. Too small and few in number to defend themselves, they would be needing the protection of a friendly nation for years to come. Because of its own colonial ambitions towards the Falkland Islands, Argentina was stopping them from fully exploring self-determination options that were acceptable to their people in order to remove themselves from the list of Non-Self-Governing Territories, thus keeping them in an unacceptable dependent position.

21. The Falkland Islands had heard that the previous year the Committee had considered sending a delegation to the United Kingdom and Argentina to discuss the Falkland Islands. He sincerely hoped that the Committee did not want to consult with the country that some saw as the old colonial master and the one that had designs on being the new colonial master. It was the Committee's duty to listen to the people of the Falkland Islands; only they could say what they wanted for their political future. The Committee was about decolonization, not recolonization. His people would never permit anyone to undermine or bypass their right to self-determination or put them back into a colonial situation.

22. **Mr. Betts** said that he had been a permanent resident of the Malvinas Islands until 1982. From infancy, it had been instilled in him that he was British and that the Islands belonged to the United Kingdom. However, his research into the origins of the dispute had completely overturned those preconceived ideas.

23. Argentine sovereignty over the territory was based on a historical title inherited upon independence from Spain prior to the British colonization of the Malvinas Islands. The United Kingdom, by contrast, had taken the territory by force in 1833, and had continued to manipulate the facts ever since, as in its assertion that the first British colony had been founded on uninhabited territory. Equally, the arguments of acquisitive prescription — the acquisition of a territory through continuous and undisturbed sovereignty over it for a long period of time — or historical consolidation — title to a territory based on historical factors such as peaceful possession over a long period of time — used by the United Kingdom did not apply, since Argentina had regularly voiced its opposition to British possession of the Islands.

24. The current inhabitants of the archipelago were indivisible from the people of the British Isles and they were not a people subjected to alien subjugation or exploitation, as defined by General Assembly resolution 1514 (XV). They therefore did not meet the conditions to benefit from the right to self-

determination. Also, the principle of self-determination was incorrectly invoked in the case of the Malvinas Islands as no dispute existed over the political status of the colonial population, but rather over the territory upon which the colony had been established. Furthermore, paragraph 6 of resolution 1514 (XV) established that the territorial integrity of a country took precedence over self-determination.

25. The latest census report in 2012 had shown that roughly one quarter of the overwhelmingly British population on the islands consisted of British immigrants, which was evidence of a policy of continuous recolonization. The United Kingdom maintained tight demographic control of the labour force by requiring foreign workers to obtain a permit and giving preference to applicants from certain Commonwealth countries and territories, thereby ensuring that the population remained predominantly Anglo-Saxon.

26. All the Latin American and Caribbean States were affected by the unresolved dispute, which represented an open wound in the South Atlantic and a risk to regional security, and they had recognized the legitimacy of the Argentine claim. The Organization of American States (OAS) had adopted a new declaration on the subject of the Malvinas Islands the previous week, and the position of Argentina was supported by intergovernmental forums and other groups all over the world.

27. The United Kingdom had built up its military base at Monte Agradable in the Malvinas Islands since 1986, the very same year that the General Assembly, in resolution 41/11, had declared the Atlantic Ocean between Africa and South America to be a zone of peace and cooperation of the South Atlantic. Militarization of the islands also violated paragraph 9 of General Assembly resolution 2708 (XXV), which requested colonial Powers to withdraw immediately and unconditionally their military bases and installations from colonial Territories and to refrain from establishing new ones.

28. Furthermore, the strong British military presence on the Islands had paved the way for the unilateral exploitation of the extraordinarily abundant fishing and hydrocarbon resources, and other renewable and non-renewable natural resources. According to unofficial estimates, fishing companies earned $800 million a year from their activities in the maritime areas surrounding the Malvinas Islands, South Georgia Islands and South Sandwich Islands. It was clear that the traditional way of life on the Islands had vanished and had been replaced by something completely artificial that existed to serve the needs of those new economic actors.

29. He remained convinced that the only way to solve the sovereignty dispute between Argentina and the United Kingdom was to reopen bilateral negotiations and establish a framework for reaching a swift and just resolution that would put an end to the colonialism afflicting Argentine and South American soil in the South Atlantic.

30. **Ms. Vernet** said that her great-great-grandfather, Luis Vernet, had been appointed the first political and military commander of the Malvinas Islands by the Government of Buenos Aires in 1829. A Hamburg-born merchant, Vernet had adopted Argentina as his homeland and had become an Argentine citizen in 1821. He had lived on the Islands with his wife and four of their children, one of whom had been born there in 1830.

31. In 1823, the Government of Buenos Aires had ceded commercial farming and fishing rights to an associate of Luis Vernet in return for establishing land-title boundaries; and as a result, Vernet had begun investing in the economic development of the islands. Believing that the establishment of a colony would be to Argentina's advantage, he had subsequently asked for the ownership of vacant lands on two of the islands in exchange for a commitment to establish a permanent settlement there. The Government of Buenos Aires had granted the request in 1828 and Puerto Soledad had been designated as the seat of the government of the Malvinas Islands. From that point on, the settlement had taken on a permanent character, and his appointment as the political and military commander of the Islands in 1829 had been a natural consequence of his efforts and of a deliberate policy pursued by the Buenos Aires Government to consolidate its sovereignty over the territory. In recognition of Argentine jurisdiction, Vernet had provided the Government of Buenos Aires with regular reports on the characteristics and potential of the islands and had presented proposals for their further development.

32. The documentation in the national archives showed that Vernet had exercised Argentine

sovereignty over the Malvinas Islands between 1824 and 1832. The settlement, whose population had been predominantly Argentine, had subsequently been dispersed and displaced by British immigrants in 1833.

33. She was convinced of her country's sovereign rights to the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and appealed to the Committee to promote constructive dialogue between the United Kingdom and Argentina in order to find a peaceful solution to a colonial situation that was an affront to the South American continent.

Draft resolution A/AC.109/2016/L.7: Question of the Falkland Islands (Malvinas)

34. **Mr. Barros Melet** (Chile), introducing draft resolution A/AC.109/2016/L.7 on behalf of the sponsors, said that the text acknowledged the established United Nations position on the peaceful resolution of the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. In that regard, Chile welcomed the Argentine Government's constructive attitude and readiness for dialogue, as demonstrated at the recent bilateral meetings between the Argentine President and British Prime Minister, both of whom had expressed the desire to pursue an open dialogue.

35. The nations of the Latin American and Caribbean region had repeatedly supported the legitimate rights of Argentina in the sovereignty dispute regarding the Malvinas Islands, most recently when, in June 2016, the Organization of American States had unanimously adopted a new declaration on the question of the Malvinas Islands, in which they called on the United Kingdom to resume negotiations with the Argentine Republic.

36. The draft resolution recognized that the question of the Malvinas Islands was a special and particular colonial situation that differed from others as a result of the sovereignty dispute between two States. The only way to end it was through a settlement negotiated by their two Governments. Therefore, the draft resolution requested the parties to resume negotiations in order to find a peaceful solution, in accordance with the relevant United Nations resolutions. The persistence of colonial situations in the twenty-first century was an anachronism that must end. The draft resolution expressed the Committee's regret that the implementation of the many United Nations resolutions over the years urging direct negotiations had not yet started.

37. The sponsors of the draft resolution firmly supported the legitimate sovereignty rights of the Argentine Republic over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and considered that bilateral negotiations between Argentina and the United Kingdom were the only way to resolve the dispute. They hoped that the draft resolution, like previous resolutions on the subject, would be adopted by consensus.

38. **Ms. Malcorra** (Observer for Argentina), speaking as Minister for Foreign Affairs and Worship of the Argentine Republic, expressed support for the decolonization process, and said that her delegation would continue to participate actively in the Special Committee's work, including the annual assessment of the situation of the Territories and the regional decolonization seminars.

39. The special and particular question of the Malvinas Islands was historical and central to Argentina's foreign policy, as set forth in its Constitution, which reaffirmed the legitimate and imprescriptible sovereignty of the Argentine Republic over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which had been an integral part of Argentine territory since the nation's creation. The Argentine Republic had never consented to the territory's occupation by the United Kingdom by force in 1833 and had since called for the restitution of its full sovereignty over it. The passage of time had eroded neither the validity of Argentina's claim nor the strength of its conviction that the protracted sovereignty dispute must be solved through bilateral negotiations. All political parties in Argentina were in agreement on the issue, as evidenced by the representatives of different political parties who had accompanied her to the meeting. She reiterated her Government's full willingness to resume negotiations with the United Kingdom in order to find a peaceful and definitive solution to the sovereignty dispute.

40. General Assembly resolution 2065 (XX) called for the resolution of the sovereignty dispute over the Malvinas Islands between Argentina and the United

Kingdom through bilateral negotiations that bore in mind the interests of the population. Although Argentina had always strongly supported the principle of self-determination of peoples, the principle could not be invoked to violate the territorial integrity of existing States. Self-determination therefore did not apply to the inhabitants of the Malvinas Islands, who were not recognized as a people able to exercise that right under the relevant United Nations resolutions. Furthermore, none of the resolutions on the question made reference to self-determination, and previous attempts to incorporate such references had been rejected.

41. In 1833, the United Kingdom had expelled the Argentine authorities and population, subsequently implanting its own settlers and strictly controlling migration policies, which continued to determine the composition of the territory's population. Decolonization and self-determination were therefore not synonymous concepts, and the underlying sovereignty dispute must be resolved by Argentina and the United Kingdom.

42. For 16 years following the adoption of resolution 2065 (XX), the Governments of Argentina and the United Kingdom had engaged in substantive discussions. In 1968 they had initialled a Memorandum of Understanding with the objective of settling the sovereignty dispute in a definitive and amicable manner; in 1974 they had discussed a British proposal on condominium over the Islands, as an intermediate step towards a definitive solution to the sovereignty dispute; and in 1981 they had held bilateral meetings in New York that unfortunately had not led to an agreement on the issue. During that period, Argentina had made efforts to improve the living conditions of people living on the Malvinas Islands, including by establishing a weekly schedule of direct air connections to the Argentine mainland, supplying fuel and facilitating access to the Argentine health-care and education systems. However, since the 1982 hostilities, the United Kingdom had consistently refused to resume negotiations, despite the repeated calls of the United Nations for the parties to reach a settlement. She wished to recall that the hostilities had taken place when Argentina had been governed by a military dictatorship and that they had caused the loss of British and Argentine lives, which must be honoured.

43. Since the resumption of diplomatic relations between Argentina and the United Kingdom 26 years earlier, Argentina had repeatedly expressed its willingness to resolve the matter through negotiations with the United Kingdom, taking into account the interests of the Malvinas Islanders and respecting their lifestyle. It was clear that the deadlock over the Malvinas had hindered the development of relations between Argentina and the United Kingdom. However, the recently elected President of Argentina had told the Prime Minister of the United Kingdom of his readiness to begin a new chapter in relations, for the two countries had traditionally enjoyed a mutually beneficial relationship across many areas of cooperation.

44. Accordingly, she had recently met with the British Secretary of State for Foreign and Commonwealth Affairs for the first formal meeting between British and Argentine foreign ministers in over a decade. They had discussed the possibility of strengthening bilateral relations in several areas of mutual interest and concluded that their disagreement over the Malvinas Islands should not affect the progress of a positive agenda that included the identification of possible areas of cooperation in the South Atlantic. They had also agreed to promote Antarctic cooperation.

45. Argentina wished to consider a broad agenda with the United Kingdom in order to address all issues and build consensus in different fields. However, an open and clear dialogue must be maintained in order to work in an intensive and substantive manner towards resolving the question of the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

46. In order for the South Atlantic region to set an international example for peace and dialogue between nations, it must be free from nuclear weapons and militarization measures, and the dispute over the Malvinas Islands must be resolved. The circumstances now offered a favourable context in which to address the matter at the bilateral level and overcome disagreements. It was hoped that Argentina and the United Kingdom would be able to work creatively and in a spirit of cooperation to address every issue on the bilateral agenda. Furthermore, it was expected that, as required by General Assembly resolution 31/49, the United Kingdom would end its unilateral exploration and exploitation of renewable and non-renewable resources in the disputed area, which had been

condemned by several multilateral and regional forums.

47. With political will, it would be possible to reach a definitive solution to the question of the Malvinas Islands. She wished particularly to acknowledge the countries that had sponsored the draft resolution, as well as the organizations and members of the international community that continually supported the settlement of the dispute.

48. **Mr. Hermida Castillo** (Nicaragua) said that the Community of Latin American and Caribbean States (CELAC) had declared Latin America and the Caribbean a zone of peace, and the region should therefore be rid of colonialism. It was unacceptable that, despite the passage of time and numerous appeals for compliance with General Assembly resolution 2065 (XX), the United Kingdom still refused to resume negotiations with Argentina on the issue of sovereignty.

49. The United Kingdom should comply with United Nations resolutions by discussing the matter with Argentina, accepting that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an inalienable part of the Argentine Republic. Recently, the National Assembly of Nicaragua had proclaimed 10 June as the National Day of Solidarity with Argentina on the Malvinas Islands, and the Central American Parliament had proclaimed the same day as the Day of Central American Solidarity with the Argentine Malvinas Islands. It was time for colonialism and imperialism to be eliminated from the Malvinas Islands and for the territories to be returned to Argentina, the legitimate owner.

50. **Mr. Ja'afari** (Syrian Arab Republic) said that the political ramifications of the continued existence of 17 Non-Self-Governing Territories decades after the establishment of the Special Committee on decolonization needed to be discussed and should prompt the Special Committee to intensify its efforts, since colonialism was a crime against humanity and a violation of international law. His delegation therefore supported the draft resolution, whose adoption by consensus would reaffirm that the sovereignty dispute should be settled peacefully. The Syrian Arab Republic endorsed the principles of self-determination and territorial integrity, as established in General Assembly resolution 1514 (XV), but not the selective use of the principle of self-determination to justify an occupation that had violated the territorial integrity of Argentina since 1833. The right to self-determination did not apply to foreign settlers in a territory. The unilateral measures taken by the United Kingdom in the Malvinas Islands, which violated United Nations resolutions and undermined attempts to find a peaceful solution, were therefore to be condemned.

51. His delegation reiterated its support for the legitimate rights of the Argentine Republic in relation to the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The British settlements in those territories had created a situation similar to that of the Israeli settlements in occupied Syrian and Palestinian territories. The British colonial occupation should be ended in accordance with General Assembly resolutions stating that the situation was a special and particular case of colonialism involving a sovereignty dispute between the United Kingdom and Argentina, which could be resolved only through peaceful negotiations. The Secretary-General should continue his mission of good offices in accordance with his mandate under the Charter of the United Nations and the relevant General Assembly resolutions. The United Kingdom should implement the more than 30 resolutions on the Malvinas Islands adopted by the Committee and begin dialogue with Argentina. It should also engage seriously with the Committee and regularly report to it on the measures it had taken to implement the resolutions.

52. **Mr. Sevilla Borja** (Ecuador) said that his delegation supported the strategy of Argentina for settling the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, thus ending their colonial status within the framework of the peaceful settlement of disputes established under international law and the Charter of the United Nations.

53. The draft resolution advocated a negotiated settlement between Argentina and the United Kingdom as the way to put an end to the current impasse. It was hoped that the Secretary-General, in carrying out his mission of good offices, would propose creative and bold new solutions to assist in resolving the dispute. The recent bilateral meeting between the Argentine and British foreign ministers, the first of its kind in 14 years, represented encouraging progress. While the two

ministers had confirmed their disagreement on the substantive aspects of the dispute, they had also identified important areas of cooperation with respect to the South Atlantic, a zone contiguous to Argentina but thousands of kilometres away from British territory, particularly the areas of exploitation of natural resources and connectivity between the South American continent and the Islands.

54. The issue at hand was not simply a bilateral dispute, but also an unresolved case of colonialism in the context of the decolonization process undertaken by the United Nations since its foundation. While there was faith that a negotiated solution could be reached through direct dialogue between the parties, other measures and procedures might be required if the desired results were not obtained within a reasonable time frame. World peace and international social justice could be achieved only by eliminating potential sources of conflict, including those stemming from the maintenance of obsolete claims to imperial domains on far-flung continents. The countries of Latin America were particularly committed to that endeavour, as they had actively worked to make the area surrounding the Malvinas Islands a zone of peace.

55. The right to self-determination did not apply in the case of the Malvinas and had been repeatedly rejected in that connection by the United Nations and other international bodies. The other rights and aspirations of the population of the Malvinas should be duly respected; as that population had been implanted by the colonial Power for its own purposes, however, it did not constitute a third party to the dispute. The population was derived from the occupation of the Malvinas Islands by the colonial Power in 1833, when it had expelled the legitimate authorities and original Argentine population, replacing them with British subjects and thereafter imposing a discriminatory migration policy that had hindered the return of the original Argentine inhabitants and the subsequent settlement of Argentine citizens.

56. *Draft resolution A/AC.109/2016/L.7 was adopted.*

57. **Mr. Llorentty Solíz** (Plurinational State of Bolivia) said that his delegation had sponsored the draft resolution out of pride and, more importantly, duty. While the question of the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas was fundamentally an Argentine issue and a core element of Argentina's foreign policy, it was also of critical importance to the identity and history of Latin American and Caribbean peoples. The Islands were part of the South American continental shelf, and their geographical continuity with the territory of Argentina was clearly visible from a satellite. The legitimacy of Argentina's sovereignty claim was thus inscribed in the natural landscape, in addition to being supported by international law.

58. The United Kingdom had systematically ignored the nearly 40 resolutions on the matter adopted by the General Assembly and the Committee. If any country that was a member of the Committee had disregarded even a fraction of that number, it would undoubtedly have faced multiple sanctions and restrictions; that called into question the uniformity of adherence to the principle of the sovereign equality of all Member States. The powerful also distorted the meaning of such terms as multilateralism, democracy and human rights for their own ends, in addition to abusing and diluting the concept of self-determination to preserve a colonial situation. Those who had been freed from other empires on the basis of that principle were offended by such attempts. None could have them believe that a group of occupiers were a people or could enjoy the right to self-determination.

59. As had been underscored during the ministerial meetings held by CELAC and the Latin American Energy Organization (OLADE) in October 2015, geography, international law, history, the international community of nations, legitimacy, truth and justice were all on the side of Argentina. Pride and disregard for the legitimate rights of others were the only instruments at the disposal of the United Kingdom, as demonstrated by its repeated refusal to engage in good faith negotiations with Argentina. Recalling Mahatma Gandhi's insistence that, no matter how strong the powerful appeared, they would inevitably yield and enter into negotiations, he hoped that the outcome of the global battle against imperialism and colonialism would not confirm Thrasymachus's claim that justice was nothing other than the advantage of the stronger.

60. **Mr. Xu** Zhongsheng (China) said that the Malvinas Islands controversy was a relic of the colonial past. Over the years, the General Assembly and the Committee had adopted resolutions calling on Argentina and the United Kingdom to conduct negotiations with a view to resolving the matter peacefully, in accordance with the wishes of the Committee and Member States. China had consistently

supported the sovereignty claim of Argentina over the Malvinas Islands, as well as the principle of the negotiated settlement of international territorial disputes, in accordance with the Charter of the United Nations. His delegation hoped that Argentina and the United Kingdom would start a constructive dialogue with a view to reaching a peaceful, just and appropriate negotiated solution in the near future.

61. **Ms. King** (Saint Vincent and the Grenadines) said that the question of the Malvinas Islands predated the Charter of the United Nations and even the League of Nations. The General Assembly had long given voice to the international community's insistence that the British and Argentine Governments should expedite negotiations concerning the sovereignty dispute. The lack of political will to negotiate in good faith on the matter had been the root cause of military and diplomatic tensions over the years. The General Assembly had also repeatedly acknowledged that the central issue was not the will of a colonized population under alien control but rather the competing claims of sovereignty over islands located a short distance from the Argentine coast.

62. Her Government remained deeply concerned over the frustrating failure to achieve progress. Like all nations in Latin America and the Caribbean, Saint Vincent and the Grenadines was committed to the just and peaceful resolution of the dispute and called on the Argentine and British Governments to resume negotiations.

63. **Ms. Rodríguez Abascal** (Cuba) said that, as a matter of principle, her delegation supported Argentina's legitimate claims in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. In line with its rejection of colonial wars with expansionist objectives, Cuba was firmly opposed to the British usurpation and subsequent occupation of territory under Argentine sovereignty, which had entailed the expulsion of the legitimate Argentine population and hindrance of their return to their homeland.

64. One hundred eighty-three years after the start of the British occupation of the Malvinas Islands and 50 years after the adoption of General Assembly resolution 2065 (XX), no significant progress towards a definitive solution had been made. That resolution explicitly recognized the question of the Malvinas Islands as a case of colonialism and acknowledged the existence of a sovereignty dispute over the Islands between Argentina and the United Kingdom, while calling for the parties to find a negotiated solution to the dispute. The United Kingdom nevertheless continued to attempt to disguise a blatant act of colonial usurpation by invoking the right to self-determination and refused to resume sovereignty negotiations with Argentina, despite the international community's repeated calls for it to comply with resolution 2065 (XX).

65. At the fourth CELAC Summit, held in January 2016, Latin American and Caribbean States had reiterated their support for Argentina in the sovereignty dispute and the region's interest in the resumption of negotiations between Argentina and the United Kingdom for a peaceful and definitive settlement in line with the pronouncements of the United Nations, OAS and various Latin American and Caribbean forums.

66. Argentina deserved encouragement for its efforts to resolve the dispute by peaceful means, in accordance with the principles of international law, the Charter of the United Nations, the relevant resolutions of the General Assembly and the proclamation of Latin America and the Caribbean as a zone of peace. Cuba echoed the call for a negotiated, just, definitive and timely solution to the dispute through dialogue and cooperation, to which end it urged the United Kingdom to accept the Argentine authorities' invitation to resume negotiations. The Committee should also work to ensure the resumption of negotiations and the Secretary-General should carry out his mission of good offices as mandated by the General Assembly. Cuba had joined in the commitment made in the Havana Declaration adopted by CELAC in 2014 to continue working to rid the region of colonialism and colonies. Lastly, her delegation had requested the Secretary-General to circulate, as a document of the General Assembly under the current agenda item, the April 2016 declaration by the working group on friendship and solidarity with Argentina, coordinated by the United Nations Association of Cuba.

67. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela), speaking on behalf of the Union of South American Nations (UNASUR), said that, in its August 2013 declaration on the question of the Malvinas Islands (A/68/856, enclosure), UNASUR had reiterated its support for the legitimate sovereignty rights of

Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and had reaffirmed the region's abiding interest in the resumption of negotiations between the Governments of Argentina and the United Kingdom. It had also highlighted the continuous constructive attitude and willingness of the Argentine Government to reach, by means of negotiations, a definitive solution to an anachronistic colonial situation.

68. In its 2010 declaration on the question of the Malvinas Islands (A/65/812, enclosure III), UNASUR had firmly rejected the unilateral exploration and exploitation by the United Kingdom of non-renewable natural resources on the Argentine continental shelf as a flagrant violation of General Assembly resolution 31/49. Moreover, in the declaration on the question of the Malvinas Islands which the UNASUR Council of Ministers for Foreign Affairs had adopted in 2012 (A/66/815, enclosure), the Council had emphasized that the military presence of the United Kingdom in the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas was contrary to the region's policy of seeking a peaceful solution to the sovereignty dispute. The Council had reaffirmed its rejection of that presence and of unilateral British activities in the disputed area, including the exploration for and exploitation of Argentina's renewable and non-renewable natural resources and the conduct of military exercises in violation of General Assembly resolutions. In its 2012 special declaration on the question (A/67/728, annex), UNASUR had, furthermore, rejected the so-called referendum conducted in the Malvinas Islands.

The meeting rose at 1.05 p.m.